

37

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 12/05/2003

To: Counterterrorism

Attn: ITOS1, ETIU-4,

SSA [REDACTED]
IOS [REDACTED]

International Operations
New York

Attn: SSA [REDACTED]

Attn: PENTTBOM Team,

SA [REDACTED]

Washington Field

Attn: Squad IT-6,

SA [REDACTED]

From: Berlin

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE#10066009-2006 BY 60309 AUC

TAM/MLT/CLS

b2

b6

b7C

Case ID #: 315N-WF-227135 (Pending)

Title: ABDELGHANI MZOUDI, aka
Talha
IT-AOT

Synopsis: Report testimony of Mohamed Abdulla Mohamed Awady provided on 10/24/2003.

Administrative: All court proceedings were conducted in the German language. SA [REDACTED] translated his summary notes from German into English.

Enclosure(s): Enclosed is one (1) FD-340 containing original notes concerning Mohamed Abdulla Mohamed Awady's testimony and the court proceedings.

Details: On 10/24/2003, Special Agent ("SA") [REDACTED] attended the morning session of the criminal trial of Abdelghani Mzoudi convened by the Third Criminal Panel of the Hanseatic Higher Regional Court (3. Strafsenat des Hanseatisches Oberlandesgericht) in Hamburg, Germany.

Appearing for the prosecution were Chief Prosecutor Walter Hemberger and Prosecutors Dr. Matthias Krauß and Gerhardt Hummer from the Federal Prosecutor's Office for the Federal Republic of Germany ("Generalbundesanwaltschaft").

To: Counterterrorism From: Berlin
Re: 315N-WF-227135, 12/05/2003

Appearing for the defense were Gül Pinar and Michael Rosenthal.

Appearing for the civil litigants ("Nebenkläger") were Andreas Schulz, and Dr. (First Name Unknown) von Gröhn, appearing on behalf of Dr. Ulrich von Jeinsen, and other German attorneys appearing on behalf of the various civil litigants.

The court now called Mohamed Abdulla Mohamed Awady (hereinafter "Awady"), a twenty-five (25) year old male, student residing in Bochum, Germany, to testify about Marwan Yousef Mohamed Rashed Al-Shehhi (hereinafter "Al-Shehhi").

Awady advised the court that he was not related to Abdelghani Mzoudi, Mounir El Motassadeq, Ramzi Mohammed Abdullah Binalshibh, Said Bahaji or Zakariya Essabar.

Awady knew Al-Shehhi from Dubai in the United Arab Emirates. They had met when they both traveled to Germany from the United Arab Emirates.

Awady and Al-Shehhi attended the same German language course at the Goethe Institute in Bonn, Germany, and lived together for six (6) months. After completing the language course, they both took the university admissions examination at the same time.

Upon admission to the university in Bonn, they also attended the same university preparatory course ("Studiumkollegium") for two (2) weeks. Thereafter, Awady left Bonn in 1997 and moved to Cologne, Germany. Al-Shehhi stayed in Bonn to finish the university preparatory course ("Studiumkollegium").

Awady described Al-Shehhi as a regular guy with whom one could have a regular conversation.

Al-Shehhi was frugal and did not spend much money. He sometimes rented cars to take trips to France, the Netherlands and to Berlin.

Al-Shehhi was "cool." He wore regular label clothing and had a short beard. He was also a Muslim and prayed five (5) times each day. Usually, he would pray at home, but on Fridays, he would pray in the mosque in Bonn.

When Al-Shehhi first moved to Hamburg, he maintained regular contact with Awady. They would sometimes meet in Bonn. Awady also traveled to Hamburg a few times to see Al-Shehhi.

To: Counterterrorism From: Berlin
Re: 315N-WF-227135, 12/05/2003

Al-Shehhi had enrolled in the University of Hamburg to study shipbuilding. Awady noted that there were only two (2) locations where one could study shipbuilding, namely at the universities in Hamburg or Duisburg.

However, Al-Shehhi had to return to Bonn approximately six (6) months after arriving in Hamburg, since he had to repeat the university preparatory course ("Studiumkollegium") in Bonn.

During this time period, Awady was living in Cologne and did not have much time to visit with Al-Shehhi. Likewise, Al-Shehhi was also very busy and did not have much time to see Awady either.

Awady's contact with Al-Shehhi consisted of the occasional telephone call. He thought that he might have spoken telephonically with Al-Shehhi about once or twice a month.

After a while the contact between the two diminished. Al-Shehhi called Awady once to invite him to his wedding in Dubai on 01/15/2000. Al-Shehhi explained that he wanted to invite all of his friends from Germany to the wedding. Awady went and visited Al-Shehhi in Dubai in 2000.

Awady saw Al-Shehhi once in Hamburg. Awady had heard from Harad (phonetic) (Last Name Unknown) that Al-Shehhi was in Hamburg. When he saw Al-Shehhi, he was surprised to see that he was not like the "old" Al-Shehhi. Instead, Awady noticed that Al-Shehhi's personality had changed.

For example, when Awady first knew Al-Shehhi he lived alone in a new apartment. Now, Al-Shehhi was living in an old apartment with a roommate and without a television set. Al-Shehhi had also given up his label clothing in favor of cheap clothing and cheap jeans.

Al-Shehhi also asked Awady if he was praying regularly and attending prayer services in the mosque. Awady asked him why he was so concerned about this, but Al-Shehhi did not give him a response.

Al-Shehhi told Awady that his studies were too difficult.

Awady asked a friend about the person with whom Al-Shehhi was sharing the apartment. The friend told Awady that it was someone from Yemen.

Awady then returned home to Bochum, Germany. The next time that he saw Al-Shehhi again was in Dubai, United Arab Emirates for Al-Shehhi's wedding. Awady was surprised to see that Al-Shehhi had shaved off his beard and was acting like the "old" Al-Shehhi.

To: Counterterrorism From: Berlin
Re: 315N-WF-227135, 12/05/2003

Awady also saw Al-Shehhi once more in Bonn. He was unsure if this occurred before or after the wedding in Dubai, but he thought that it might have been after the wedding. At that time, Al-Shehhi wore Afghan-style clothing. Awady had to laugh about Al-Shehhi's manner of dress. They joked that it was a pajamas, but Al-Shehhi said that it was to pray in.

When Awady was in Bonn, he went looking for their friend Nafa (phonetic) (Last Name Not Provided). Awady saw Al-Shehhi in the company of Nafa.

Awady did not ask Al-Shehhi about his studies or what he was doing when he saw him.

Awady also noticed that Al-Shehhi was concentrating upon other matters, such as religion and praying. Al-Shehhi had previously not been so interested in religion.

Awady had a contact telephone number for Al-Shehhi, but when he tried to call that telephone number, the telephone number did not work. Later, Awady called a mutual friend and asked him for Al-Shehhi's new telephone number. The friend informed Awady that Al-Shehhi did not have a telephone or a cellular telephone.

At some point, the Embassy for the United Arab Emirates called Awady and asked him whether he knew where to locate Al-Shehhi. Khalid (Last Name Not Provided) specifically asked him whether Al-Shehhi was with Awady in Bochum. Later, Al-Shehhi's brother came to Hamburg from the United Arab Emirates to look for him.

Awady testified that the Embassy for the United Arab Emirates monitored their educational studies, and checked up on them.

Chief Judge Klaus Rühle asked whether it was true that they had shared an apartment in Bad Godesberg, Germany near Bonn, and that Al-Shehhi later lived with two (2) families in Bad Godesberg. It had been documented in Awady's statement provided to police investigators that Al-Shehhi had moved out of the first family's home since they drank alcohol.

Awady testified that this was true.

Awady did not know the people with whom Al-Shehhi associated in Hamburg.

When Awady asked Al-Shehhi why he lived so frugally and why he did not have a television set in his apartment in Hamburg, Al-Shehhi answered that he was living like the Prophet had once lived.

To: Counterterrorism From: Berlin
Re: 315N-WF-227135, 12/05/2003

When Awady broke off his contact with Al-Shehhi in 2000, he believed that Al-Shehhi was on a "Jihad" somewhere in Afghanistan. Awady explained that he knew Al-Shehhi, and he believed that Al-Shehhi would do such a thing.

After Khalid (LNU) called him to inquire why Al-Shehhi was not attending his classes at the university, Awady called Al-Shehhi and asked to meet him in Hamburg. Al-Shehhi told Awady not to come to Hamburg. He did not want to see Awady.

Awady believed that Al-Shehhi did not want him to see how he was living in Hamburg, and then report this back to the Embassy for the United Arab Emirates. Awady, however, stayed firm in his intention to meet with Al-Shehhi and told him that he would come to Hamburg the next weekend.

Al-Shehhi's father had called Awady's father, who had then ordered his son to go and check upon Al-Shehhi. Awady was, thus, not going to let himself be swayed out of meeting with Al-Shehhi in Hamburg.

Awady drove to Hamburg by car and did not know the way to Al-Shehhi's apartment. Thus, they met each other at the Hamburg train station. It was obvious to Awady that Al-Shehhi did not want Awady to see his apartment in Hamburg.

Awady knew that Al-Shehhi would never eat in a restaurant where wine was served, such as an Italian restaurant. Al-Shehhi would also never eat at McDonald's since he claimed that it was owned by Jews.

Awady, thus, suggested that they go drink tea at Al-Shehhi's apartment, so that Awady could learn Al-Shehhi's address. Neither Al-Shehhi's brother, nor Ali (Last Name Not Provided), nor the UAE Embassy, nor Khalid (Last Name Not Provided) knew Al-Shehhi's address.

Awady did not care about seeing Al-Shehhi's room, so long as he got a chance to find out Al-Shehhi's address.

In the end, Awady and Al-Shehhi drove to Al-Shehhi's apartment in Hamburg-Harburg. Al-Shehhi lived in the apartment on the first floor. There were two (2) or three (3) rooms in the apartment, as well as a hallway, bathroom and kitchen. Awady recalled seeing at least one (1) bedroom.

The apartment was sparsely furnished with a few mattresses and a prayer table.

To: Counterterrorism From: Berlin
Re: 315N-WF-227135, 12/05/2003

Awady did not know how many other people lived in the apartment since he did not meet anyone else in the apartment.

Chief Judge Rühle then asked if he could explain why he had problems recognizing two (2) pictures shown to him by police investigators. Awady had told the police investigators that he did not recognize Picture #30, and that he thought that he recognized the other picture. Awady explained that the pictures depicted the apartment prior to the renovations. Consequently, Awady was unable to recognize those pictures.

Awady did not think that Al-Shehhi's name was on the outside apartment door buzzer.

Al-Shehhi had told Awady that he was not registered as a resident at that location. He was only temporarily living in that apartment until he found something better. As a result, his name was not listed on the outside apartment door buzzer.

Chief Judge Rühle now showed him two (2) pictures of houses. Awady said that the first picture was not Al-Shehhi's apartment building, while the second picture could have been his apartment building. However, he was unsure of his identification of that photograph.

Upon seeing a floor plan of an apartment, Awady said that he was unsure if that was Al-Shehhi's apartment.

Associate Judge (First Name Unknown) Sakuth then asked whether Al-Shehhi said that he did not want his Embassy to know his whereabouts. Awady testified that Al-Shehhi had not said this. Awady learned where Al-Shehhi was living and told him that his brother also wanted to know his address.

Awady did not report back his findings to Al-Shehhi's family. Awady believed Al-Shehhi when he had said that this was only a temporary living arrangement, and that he would move out into a better apartment soon.

Awady later spoke with Al-Shehhi's brother about this matter when he came to Germany to look for Al-Shehhi.

When Awady saw Al-Shehhi at the wedding, he thought that things were going better for Al-Shehhi.

When they met during previous times, Al-Shehhi never seemed to care where they would plan to meet. He did, however, inform Awady that he only had a small room in a student dormitory, so

To: Counterterrorism From: Berlin
Re: 315N-WF-227135, 12/05/2003

that they might want to meet elsewhere. As a result, they usually met somewhere else in the city.

Al-Shehhi told Awady that he wanted to bring his wife back to Germany from Dubai. He had already applied for a tourist visa for her, and now he needed a larger apartment for the two (2) of them.

Associate Judge Dr. (First Name Unknown) Mohr now asked Awady how many days Al-Shehhi had remained in Dubai. Awady testified that Al-Shehhi spent between ten (10) and fifteen (15) days in Dubai. Awady thought that he might have returned to Germany on January 20th.

Associate Judge Mohr noted an apparent discrepancy in Awady's testimony. Namely, Awady had stated in his statement provided to police investigators that Al-Shehhi did not return to Germany until February. He now asked Awady which date was correct.

Awady answered that he thought that Al-Shehhi had returned to Germany by January 20th. He recalled that Al-Shehhi had told him that he needed to get back to the university in Hamburg. If he returned after January 20th, then he would have returned to the university too late.

Awady had also heard from Al-Shehhi's brother that Al-Shehhi needed to stay ten (10) to twenty (20) days in Dubai, since he needed to procure a new passport.

Chief Prosecutor Hemberger asked Awady whether he had seen Al-Shehhi with anyone. Awady answered that he had seen Naja (phonetic) (Last Name Not Provided) with Al-Shehhi.

The court excused Awady without requiring him to swear an oath to his testimony.

The court then adjourned until 11:00 a.m., at which time the next witness would be called.

To: Counterterrorism From: Berlin
Re: 315N-WF-227135, 12/05/2003

LEAD(s) :

Set Lead 1: (Info)

COUNTERTERRORISM

AT ETIU4, DC

Read and clear.

Set Lead 2: (Info)

INTERNATIONAL OPERATIONS

AT IO1, DC

Read and clear.

Set Lead 3: (Info)

NEW YORK

AT NEW YORK, NY

Read and clear.

Set Lead 4: (Discretionary)

WASHINGTON FIELD

AT WASHINGTON, DC

Disseminate as necessary.

awady.wpd

◆◆